



House of Representatives

General Assembly

File No. 707

February Session, 2014

Substitute House Bill No. 5580

House of Representatives, April 29, 2014

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PESTICIDE ADVISORY COUNCIL AND THE ELIMINATION OF A MUNICIPAL MANDATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 22a-65 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2014*):

4 (d) The commissioner shall establish a Pesticide Advisory Council
5 consisting of, but not limited to, the director of the Agricultural
6 Experiment Station, the Commissioner of Agriculture, the
7 Commissioner of Public Health, and the dean of the college of
8 agriculture of The University of Connecticut or their respective
9 designees. The council shall meet at least annually and the
10 commissioner may consult with the Pesticide Advisory Council on
11 technical matters involving the application and use of pesticides, the
12 determination of imminent hazards and the unreasonable adverse
13 effects on the environment before promulgating regulations or orders
14 in carrying out this part, subsection (a) of section 23-61a and sections

15 23-61b and 23-61f. The council shall, on an ongoing basis, review all
16 new pesticides for safety and effectiveness and report the results of
17 such review to the commissioner for consideration in adopting
18 regulations. The commissioner shall, in consultation with the council,
19 create, publish and regularly update a report on best practices
20 regarding the safe and effective use of synthetic and organic pesticides
21 for use by municipalities.

22 Sec. 2. Section 22a-65 of the general statutes is amended by adding
23 subsection (e) as follows (*Effective October 1, 2014*):

24 (NEW) (e) The commissioner shall establish a regional purchasing
25 program through which municipalities may purchase pesticides for a
26 reduced price.

27 Sec. 3. (*Effective October 1, 2014*) The Commissioner of Energy and
28 Environmental Protection shall, in consultation with the Pesticide
29 Advisory Council established pursuant to section 22a-65 of the general
30 statutes, as amended by this act, review the integrated pest
31 management monitoring Internet web site maintained by the state of
32 Massachusetts for the purpose of determining whether to create a
33 similar resource in the state of Connecticut.

34 Sec. 4. Subsection (a) of section 7-163e of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective*
36 *October 1, 2014*):

37 (a) The legislative body of a municipality, or in any municipality
38 where the legislative body is a town meeting or representative town
39 meeting, the board of selectmen, shall conduct a public hearing on the
40 sale, lease or transfer of real property owned by the municipality prior
41 to final approval of such sale, lease or transfer. Notice of the hearing
42 shall be published on the Internet web site of the municipality or in a
43 newspaper or other publicly available weekly print publication having
44 a general circulation in such municipality where the real property that
45 is the subject of the hearing is located at least twice, at intervals of not
46 less than two days, the first not more than fifteen days or less than ten

47 days and the last not less than two days before the date set for the
48 hearing. The municipality shall also post a sign conspicuously on the
49 real property that is the subject of the public hearing.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	22a-65(d)
Sec. 2	<i>October 1, 2014</i>	22a-65
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>October 1, 2014</i>	7-163e(a)

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 15 \$	FY 16 \$
Various Municipalities	Savings	Potential	Potential

Explanation

The bill allows municipalities to post notices of public hearings regarding the sale, lease, or transfer of real property on their Internet web site, rather than a newspaper. This results in a savings that will vary based on how many such hearings each municipality has, and the cost of posting such notices. For example, Fairfield spent approximately \$20,000 on posting legal notices in FY 13, whereas Stamford spends approximately \$50,000 to \$55,000 per year on notices and advertising. However, it is not known how much of the cost to either town was due to the posting of public hearings regarding the sale, lease, or transfer of real property specifically.

The bill also requires the Department of Energy and Environmental Protection (DEEP) to establish a regional purchasing program through which municipalities may purchase pesticides for a reduced price. This may result in savings to various municipalities.

Lastly, the bill requires DEEP to review all new pesticides for safety and effectiveness on an ongoing basis. There is no fiscal impact, as it is anticipated that existing staff can perform this review. The agency receives approximately 1100 applications for the registration of new pesticides annually.

The Out Years

Any municipal savings in the outyears depend on the current number of hearings and newspaper postings and the price of pesticides.

OLR Bill Analysis**sHB 5580*****AN ACT CONCERNING THE PESTICIDE ADVISORY COUNCIL
AND THE ELIMINATION OF A MUNICIPAL MANDATE.*****SUMMARY:**

This bill requires the Pesticide Advisory Council (PAC), established by the Department of Energy and Environmental Protection (DEEP), to review, on an ongoing basis, all new pesticides for safety and effectiveness. (The bill does not define “new pesticides.”) It must report its findings to the DEEP commissioner for his consideration in promulgating regulations.

The bill requires the DEEP commissioner to:

1. create, publish, and regularly update, in consultation with PAC, a report on best practices for municipalities’ safe and effective use of synthetic and organic pesticides;
2. create a regional pesticide purchasing program for municipalities; and
3. review, in consultation with PAC, Massachusetts’ integrated pest management monitoring website to determine whether Connecticut should create a similar website.

Under current law, before holding a public hearing on the sale, lease, or transfer of its real property, a municipality must twice publish a legal notice in a newspaper having general circulation in the municipality. The bill eliminates this requirement by allowing municipalities to alternatively publish notice (1) on the municipality’s website or (2) in a weekly print publication having general circulation in the municipality.

EFFECTIVE DATE: October 1, 2014

BACKGROUND

PAC

According to DEEP's Bureau of Materials Management and Compliance Assurance, PAC has not convened since the mid-1990s.

Related Bill

sSB 40, favorably reported by the Planning and Development Committee, permits legal notices (1) to be advertised in weekly newspapers distributed to town residents free of charge and (2) if advertised by municipalities, to include only a brief description of the matter being noticed and a reference to the newspaper's website where the full legal notice can be found.

Legislative History

The House referred the bill (File 507) to the Appropriations Committee, which reported a substitute that eliminates the original bill's provisions concerning emergency medical services and primary service area responders.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 18 Nay 2 (03/25/2014)

Appropriations Committee

Joint Favorable Substitute

Yea 39 Nay 11 (04/22/2014)